

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NATALIE F. SIMMONS and STEPHEN  
H. SIMMONS, husband and wife;  
KATHERINE A. ROHR-SMITH; and  
ZALDY FERNANDEZ, individually and  
on behalf of others similarly situated,

Plaintiffs,

v.

ASSET RECOVERY GROUP, INC.,  
d/b/a ASSET RECOVERY GROUP OF  
WASHINGTON, an Oregon corporation;  
and ROBERT S. FRIEDMAN,

Defendants.

CASE NO. C16-0794-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Plaintiffs' motion to consolidate this case with *Linehan v. AllianceOne Receivables Management, Inc.*, C15-1012-JCC (Dkt. No. 22). This case raises the same legal issue as in the consolidated *Linehan* cases. The underlying facts are also similar: debt collectors filed suit in particular divisions pursuant to a general court order, even though the debtors did not reside in those districts and the underlying contracts were not formed there. Because of these common questions of law and fact, the Court finds that consolidation would conserve resources, avoid inconsistent results, and otherwise serve the interests of justice.

1 Accordingly, the Court GRANTS the motion (Dkt. No. 22) and ORDERS that:

2 (1) All future filings shall bear the caption and case number of *Linehan v. AllianceOne*  
3 *Receivables Management, Inc.*, C15-1012-JCC.

4 (2) This case is closed, and any case management deadlines set in this case are stricken.

5 (3) The pending motions to dismiss in this case (Dkt. Nos. 16 & 17) are transferred to  
6 *Linehan v. AllianceOne Receivables Management, Inc.*, C15-1012-JCC.

7 The Court acknowledges Defendant Asset Recovery Group's argument that the  
8 consolidated cases are further along than this proceeding. (*See* Dkt. No. 30 at 1-2.) Regarding the  
9 pending motions to dismiss in this case, there are likewise pending motions in the consolidated  
10 cases, and the Court anticipates a swift ruling on these motions to move this case along.  
11 Regarding the case management schedule in the consolidated cases, Defendants Asset Recovery  
12 and Robert Friedman may appeal to the Court for relief from any deadline that is truly unfair or  
13 unmanageable.

14 The Clerk is DIRECTED to post this order in both C16-0794-JCC and in C15-1012-JCC.

15 DATED this 23rd day of August 2016.

16 William M. McCool  
17 Clerk of Court

18 s/Paula McNabb  
19 Deputy Clerk  
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